



DOCKET NO: F0397.70068US00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Marvin J. Slepian, et al.
Serial No: 10/631,318
Confirmation No: Not yet assigned
Filed: July 31, 2003
For: BIODEGRADABLE POLYMERIC ENDOLUMINAL
SEALING PROCESS APPARATUS AND POLYMERIC
PRODUCTS FOR USE THEREIN

Examiner: Not yet assigned
Art Unit: Not yet assigned

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 4th day of October, 2003.


Signature

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicants request consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed within three months of the filing date of a National Application other than a continued prosecution application under 37 C.F.R. §1.53(d) and before the mailing date of a first Office Action on the merits in the above-identified case.

No fee or certification is required.

PART II: Information Cited

A. The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

B. The Applicant hereby makes the following additional information of record in the above-identified application.

The applicant would like to bring to the Examiner's attention the following co-pending application that may contain subject matter related to this application:

<u>Serial No.</u>	<u>Filing Date</u>	<u>Inventor(s)</u>
10/020,083	December 13, 2001	Marvin J. Slepian, Anton Schindler

PART III: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,
Marvin J. Slepian, et al., *Applicants*

By: 

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Docket No. F0397.70068US00
Date: 10/14/03
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FORM PTO-1449(Modified) LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	ATTY. DOCKET NO.: F0397.70068US00	SERIAL NO.: 10/631,318
	APPLICANT: Slepian et al.	
	FILING DATE: July 31, 2003	GROUP: Not Yet Assigned

U.S. PATENT DOCUMENTS

Exam Init	Ref Des	Document No.	Date	Name	Class	Sub Class	FILING DATE If Appropriate
	*	550,238	11/26/95	Allen			
	*	2,642,874	06/23/53	Keeling			
	*	2,854,982	10/07/58	Pagano			
	*	3,225,760	12/28/65	Cosola			
	*	3,221,745	12/07/65	Coover et al.			
	*	3,620,218	11/16/71	Schmitt et al.			
	*	3,640,741	02/08/72	Etes			
	*	3,707,146	12/26/72	Cook et al.			
	*	3,868,956	03/04/75	Alfidi et al.			
	*	3,875,939	04/08/75	Bolduc et al.			
	*	3,880,158	04/29/75	Gurney			
	*	3,987,000	10/19/76	Gleichenhagen et al.			
	*	4,023,559	05/17/77	Gaskell			
	*	4,080,969	03/28/78	Casey et al.			
	*	4,118,470	10/03/78	Casey et al.			
	*	4,140,126	02/20/79	Choudhury			
	*	4,156,067	05/22/79	Gould			
	*	4,200,939	05/06/80	Oser			
	*	4,272,518	06/09/81	Moro et al.			
	*	4,286,341	09/01/81	Greer et al.			
	*	4,292,299	09/29/81	Suzuki et al.			
	*	4,319,363	03/16/82	Ketharanathan			
	*	4,352,883	10/05/82	Lim			
	*	4,377,010	03/22/83	Fydelor et al.			
	*	4,385,344	05/24/83	Gonser			
	*	4,402,694	09/06/83	Ash et al.			
	*	4,423,725	01/03/84	Baran et al.			
	*	4,443,430	04/17/84	Mattei et al.			
	*	4,445,892	05/01/84	Hussein et al.			
	*	4,448,188	05/15/84	Loeb			
	*	4,450,139	05/22/84	Bussiere et al.			
	*	4,459,252	07/10/84	MacGregor			
	*	4,503,569	03/12/85	Dotter			
	*	4,520,823	06/04/85	LeVeen et al.			

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	*	4,553,545	11/19/85	Maass et al.			
	*	4,573,966	03/04/86	Weikl et al.			
	*	4,575,373	03/11/86	Johnson			
	*	4,578,061	03/25/86	Lemelson			
	*	4,580,568	04/08/86	Gianturco			
	*	4,588,395	05/13/86	Lemelson			
	*	4,595,713	06/17/86	St. John			
	*	4,595,713	06/17/86	St. John			
	*	4,603,695	08/05/86	Ikada			
	*	4,610,662	09/09/86	Weikl et al.			
	*	4,636,195	01/13/87	Wolinsky			
	*	4,643,734	02/17/87	Lin			
	*	4,650,466	03/17/87	Luther			
	*	4,654,025	03/31/87	Cassou et al.			
	*	4,655,746	04/07/87	Daniels et al.			
	*	4,655,771	04/07/87	Wallsten			
	*	4,655,777	04/07/87	Dunn et al.			
	*	4,674,506	06/23/87	Alcond			
	*	4,676,975	06/30/87	McGary et al.			
	*	4,690,684	09/01/87	McGreevy et al.			
	*	4,693,704	09/15/87	Ogita			
	*	4,701,509	10/20/87	Sun et al.			
	*	4,702,917	10/27/87	Schindler			
	*	4,709,698	12/01/87	Johnston et al.			
	*	4,711,777	12/08/87	Tan et al.			
	*	4,733,664	03/29/88	Kirsch			
	*	4,733,665	03/29/88	Palmaz			
	*	4,739,762	04/26/88	Palmaz			
	*	4,740,207	04/26/88	Kreamer			
	*	4,744,366	05/17/88	Jang			
	*	4,754,752	07/05/88	Ginsburg et al.			
	*	4,763,538	08/16/88	Fujita et al.			
	*	4,763,653	08/16/88	Rockey			
	*	4,763,654	08/16/88	Jang			
	*	4,771,777	09/20/88	Horzewski et al.			

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	*	4,776,337	10/11/88	Palmaz			
	*	4,776,349	10/11/88	Nashef et al.			
	*	4,781,677	11/01/88	Wilcox			
	*	4,790,819	12/13/88	Li et al.			
	*	4,799,479	01/24/89	Spears			
	*	4,820,298	04/11/89	Leveen et al.			
	*	4,832,688	05/23/89	Sagae et al.			
	*	4,841,968	06/27/89	Dunn et al.			
	*	4,853,224	08/01/89	Wong			
	*	4,870,966	10/03/89	Dellon et al.			
	*	4,888,489	12/19/89	Bryan			
	*	4,892,538	01/09/90	Aebischer et al.			
	*	4,900,303	02/13/90	Lemelson			
	*	4,923,470	05/08/90	Dumican			
	*	4,938,763	07/03/90	Dunn et al.			
	*	4,950,735	8/21/90	Vanderbilt et al.			
	*	4,969,890	11/13/90	Sugita, et al.			
	*	5,007,837	04/16/91	Werly			
	*	5,007,926	04/16/91	Derbyshire			
	*	5,015,253	05/14/91	MacGregor			
	*	5,037,427	08/06/91	Harada, et al.			
	*	5,059,211	10/22/91	Stack et al.			
	*	5,068,220	11/26/91	Vanderbilt et al.			
	*	5,077,049	12/31/91	Dunn et al.			
	*	5,080,893	01/14/92	Goldberg et al.			
	*	5,085,629	02/04/92	Goldberg et al.			
	*	5,092,841	03/03/92	Spears			
	*	5,092,877	03/03/92	Pinchuk			
	*	5,100,429	03/31/92	Sinofsky et al.			
	*	5,102,417	04/07/92	Palmaz			
	*	5,108,416	04/28/92	Ryan, et al.			
	*	5,124,103	06/23/92	Kaplan et al.			
	*	5,139,480	08/18/92	Hickle et al.			
	*	5,139,480	08/18/92	Hickle et al.			
	*	5,145,945	09/08/92	Tang et al.			

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	*	5,147,385	09/15/92	Beck et al.			
	*	5,158,548	10/27/92	Lau et al.			
	*	5,175,000	12/29/92	Godowski et al.			
	*	5,181,903	01/26/93	Vann et al.			
	*	5,190,540	03/02/93	Lee			
	*	5,192,307	03/09/93	Lee			
	*	5,199,951	04/06/93	Spears			
	*	5,213,580	05/25/93	Slepian et al.			
	*	5,232,444	08/03/93	Just et al.			
	*	5,242,399	09/07/93	Lau, et al.			
	*	5,278,201	01/11/94	Dunn et al.			
	*	5,278,202	01/11/94	Dunn et al.			
	*	5,292,321	03/08/94	Lee			
	*	5,300,020	04/05/94	L'Esperance, Jr.			
	*	5,304,121	04/19/94	Sahatjian			
	*	5,306,286	04/26/94	Stack et al.			
	*	5,324,519	06/28/94	Dunn et al.			
	*	5,324,520	06/28/94	Dunn et al.			
	*	5,328,471	07/12/94	Slepian			
	*	5,340,849	08/23/94	Dunn et al.			
	*	5,344,398	09/06/94	Hara			
	*	5,368,859	11/29/94	Dunn et al.			
	*	5,395,615	03/07/95	Godowski et al.			
	*	5,397,307	03/14/95	Goodin			
	*	5,462,529	10/31/95	Simpson et al.			
	*	5,662,609	09/02/97	Slepian			
	*	5,674,287	10/07/97	Slepian, et al			
	*	5,749,922	05/12/98	Slepian, et al			
	*	5,779,673	07/14/98	Roth, et al			
	*	5,800,538	09/01/98	Slepian, et al			
	*	5,849,035	12/15/98	Pathak, et al			
	*	5,947,977	08/07/99	Slepian et al.			
	*	6,287,320	09/11/01	Slepian			
	*	6,443,941	09/03/02	Slepian et al.			

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FOREIGN PATENT DOCUMENTS

		Country & Doc. No. (11)	Pub. Date (43)		Class	Sub Class	Translation Yes No	
	*	DE 2827450	11.1.79	Gleich Anmelder				
	*	DE 3640745	04.06.87	Strecker, Ernst Peter				
	*	EP 0 149 693	31.07.85	Honeywell				
	*	EP 0 177 330	09.04.86	Gianturco				
	*	EP 0 183 372	04.06.86	Caponigro				
	*	EP 0 202 444	26.11.86	Dumican				
	*	EP 0 246 638	25.11.87	Halbert				
	*	EP 0 248 246	09.12.87	Bittmann				
	*	EP 0 537 559 A1	21.04.93	Dunn et al.				
	*	EP 0 539 751 A1	05.05.93	Dunn et al.				
	*	EP 0 540 290 A2	05.05.93	Lau et al.				
	*	FR 2577410	22.08.86	Glen				
	*	WO 88/02623	21.04.88	Guire				
	*	WO 89/12478	28.12.89	Just				
	*	WO 90/01969	08.03.90	Slepian et al.				
	*	WO 90/03768	19.04.90	Dunn et al.				
	*	WO 91/01126	07.02.91	Dunn et al.				
	*	WO 91/17731	28.11.91	Spears				
	*	WO 92/00104	09.01.92	Dunn				
	*	WO 92/00718	23.01.92	Dunn et al.				
	*	WO 92/04393	19.03.92	Grijpma et al.				
	*	WO 92/19283	12.11.92	Cowsar et al.				
	*	WO 92/21354	10.12.92	Gliatech, Inc.				

OTHER ART

(Including Author, Title, Date, Pertinent Pages, Publication, Etc.)

*		Peter Barath, M.D. et al., "Combined Angioplasty and Vascular Stenting by a Novel Heat-Expandable Thermoplastic Device," JACC Vol. 11, No. 2 - February 1988:65A
*		Sandra Blakeslee, "Race is On to Develop Nonsurgical Ways to Unclog Arteries", The New York Times, HESAL HEALTH, July 28, 1988
*		T. Kerenyi, V. Merjek, Z. Szabolca, A. Pusztai and G. Nadasy, "Local Enzymatic Treatment of Atherosclerotic Plaques", Experimental and Molecular Pathology 49, 330-338 (1988)
*		McBride et al., "Restenosis After Successful Coronary Angioplasty", The New England Journal of Medicine, June 30, 1988, pp. 1734-1737
*		Boretos, J.W., "Improved Intravascular Delivery of Drug Via A Polyethylene Jet Catheter", The 13th Annual Meeting of the Soc. for Biomaterials, June 2-6, 1987, NY

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OTHER ART (Including Author, Title, Date, Pertinent Pages, Publication, Etc.)			
	*		Derwent Publication Ltd., p. 1, An 79-04379B, Gould F.E.
	*		Derwent Publications Ltd., p. 1 AN 85-185093
	*		Palmez, et al., NORMAL AND STENOTIC RENAL ARTERIES: EXPERIMENTAL BALLOON- EXPANDABLE INTRALUMINAL STENTING, Radiology; 164: 705-708 (1987)
	*		Slepian, Marvin J., "POLYMERIC ENDOLUMINAL PAVING AND SEALING: THERAPEUTICS AT THE CROSSROAD OF BIOMECHANICS AND PHARMACOLOGY," Interventional Cardiology (Textbook) Ch. 32; Ed. E.J. Topol, Saunders, Philadelphia (1990)
	*		John W. Boretos et al., "SEGMENTED POLYURETHANE: A POLYMER AN INITIAL EVALUATION FOR BIOMEDICAL APPLICATIONS," J. Biomed Mater Res., Vol. 2, pp. 121-130 (1968).
	*		Dix P. Poppas et al., "Laser Welding in Urethral Surgery: Improved Results with a Protein Solder", The Journal of Urology, Vol. 139, February, 1988, pps. 415-417.
	*		Lewis, Richard J. Sr., Hawleys Condensed Chemical Dictionary, 12th ed., Van Nostrand Reinhold Co. (1993), pp. 300, 974

* a copy of these references are not provided as they were previously cited by or submitted to the office in a prior application, Serial No. 10/020,083, filed December 13, 2001, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

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